

**BEFORE THE STATE ELECTION BOARD  
STATE OF GEORGIA**

**IN THE MATTER OF:**

**ROBERT DANIEL**

**Respondent.**

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**Case No. 2005-000073**

**CONSENT ORDER**

The State Election Board and the Respondent, Robert Daniel, in lieu of further administrative or legal proceedings, hereby enter into the following stipulations and settlement agreement for the purpose of resolving this matter with the entry of this Consent Order.

**STIPULATED FACTS**

1.

A Special Election for County Commissioner from District 1 was held in Heard County, Georgia in November 2005. The Respondent, Robert Daniel, was a candidate for County Commission for District 1 in that election.

2.

The Respondent moved from his residence at 370 Pine Ridge Road, Franklin, Georgia, which is in Heard County, to 602 Green Avenue, Hogansville, Georgia, which is in Troup County, and transferred his voter registration from Heard County to Troup County on August 17, 2005.

3.

On September 20, 2005, the Respondent, Robert Daniel, submitted an affidavit attesting that his address was 370 Pine Ridge Road, Franklin, Georgia, along with his notice of his candidacy for County Commissioner for District 1.

On Election Day, November 8, 2005, the Respondent attempted to vote in his former precinct, Enon Grove, in Heard County. The Respondent's name did not appear on the Electors List and he was allowed to vote a Provisional Ballot until an investigation could be completed. Upon review of the records from both Heard and Troup Counties, it was determined that he was ineligible to vote in Heard County because he had changed his place of Voter Registration to Troup County. The Respondent was living in Troup County.

#### CONCLUSIONS OF LAW

The Respondent, Robert Daniel, acknowledges that he violated O.C.G.A. § 21-2-132, O.C.G.A. § 21-2-562 (a)(1) and O.C.G.A. § 21-2-565 when he made false statements in filing his notice of candidacy for County Commissioner for District 1 and the required affidavit that accompanies the notice.

#### ORDER

The Georgia State Election Board, having considered the particular facts and circumstances of this case, inclusive of the within and forgoing "Stipulated Facts" and "Conclusions of Law," hereby **ORDERS**, and Respondent Robert Daniel hereby agrees, to cease and desist from making any false statements on documents for candidacy for any office. The Respondent shall pay a \$1000 penalty for the stated violations of the State Election Code. By this Order, the Respondent is hereby reprimanded for his conduct.

This Consent Order, inclusive of its Stipulations and Order, shall not become effective unless and until approved by the Georgia State Election Board. If not agreed to, approved by, and executed on behalf of, the Georgia State Election Board, neither stipulation nor any other part of this agreement shall have any binding legal effect whatsoever and shall not constitute an


admission against interest or prejudice the ability of either the Board or Respondent to adjudicate this matter.

SO ORDERED this 23 day of Jan, 2008.

  
KAREN HANDEL  
State Election Board

CONSENTED TO BY:

  
Robert Daniel

  
Notary Public  
My Commissions Expires 2-23-08